IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1360 OF 1994

Larsen & Toubro Ltd. & Anr. ..Petitioners.

Vs.

Union of India & Ors. ..Respondents.

Mr.Gautam Patel with Mr.Sayyed i/b.M.K.Ambalal & Co., Advocate for the Petitioners.

Mr.Mishra for Respondent No.1.

Mr.S.K.Sayyed for Respondent Nos.2 to 4.

CORAM: S.RADHAKRISHNAN AND S.J.VAZIFDAR, JJ.

DATED: 21ST SEPTEMBER, 2004

P.C. :

Heard the learned counsel for the parties.

2. By consent of the learned counsel appearing for the parties, the Petition is disposed of in terms of the following order, and the counsel also agree that no reasons need be given :-

i) Petitioners are at liberty to file appropriate replies to the Notices issued by the Office of Legal Meterology Department, viz. Dated 3rd

May, 1994 of PCR-4 Greater Mumbai (Exhibit "C" to the Petition), the said replies be sent to the Deputy Controller of Legal Meterology at his office at Arun Chambers, Tardeo, Mumbai on or before the 15th October, 2004.

ii) The Deputy Controller of Legal Meterology is directed to give a hearing to the Petitioner and decide the matter on merits in accordance with law on or before the 31st December, 2004. It is clarified that in the event no reply is received by the Deputy Controller of Legal Meterology within the aforesaid period, or if the petitioners or their representatives are not present personally on the date of hearing so fixed, the Deputy Controller of Legal Meterology will be at liberty to pass an order exparte.

iii) Till the decision is taken by the Deputy Controller of Legal Meterology as to whether the petitioner’s products are covered under the provision of the Standards of Weight and Measures Act, the Enforcement Act and the Rules framed thereunder and two weeks thereafter, further proceedings in any

complaint filed shall remain stayed.

v) No costs.

vi) Writ Petition stands disposed of on the aforesaid terms.

(S.Radhakrishnan, J.)

(S.J. Vazifdar, J.)